

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

HECTOR MANUAL ROSA

PETITIONER

V.

CIVIL ACTION NO. 3:18-CV-8-DPJ-FKB

WARDEN C. RIVERS

RESPONDENT

ORDER

This habeas petition filed under 28 U.S.C. § 2241 is before the Court on the unopposed Report and Recommendation [16] of United States Magistrate Judge F. Keith Ball. Judge Ball recommended that Petitioner Hector Manual Rosa's petition challenging the application of a sentencing enhancement be dismissed with prejudice for lack of jurisdiction. Rosa failed to file an objection to the Report and Recommendation, and the time to do so has now expired.¹

Because the Court agrees with Judge Ball that it lacks jurisdiction to hear Rosa's challenge to his sentence, it adopts the Report and Recommendation [16] as the opinion of the Court. Rosa's habeas petition is dismissed with prejudice. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 9th day of May, 2019.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE

¹ The copy of the Report and Recommendation the Court mailed to Rosa was returned as undeliverable. [17]. In an earlier Order, the Court warned Rosa that failure to keep the Court informed of his current address may result in dismissal of his case. Jan. 29, 2018 Order [40].